



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In the matter of the Application of

ANA CHRISTINA DEGENS

for an Order Authorizing the Issuance of  
Subpoenas pursuant to 28 U.S.C. § 1782  
to JPMorgan Chase Bank, N.A., J.P. Morgan  
Securities LLC, Wells Fargo Bank, N.A.,  
HSBC Bank USA, N.A., Safra National Bank  
of New York, Favil LLC, Tavit Group, Ltd.,  
Arvil International Corp., Kavil Investments  
Limited, Vilvil Group Limited, Grant, Herman,  
Schwartz & Klinger LLP, and Loeb, Block  
& Partners LLP.  
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20-mc-237 (JGK) (RWL)

**ORDER**

**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

This order resolves the issues raised by the parties at Dkt. 63 and 66.

1. GHSK must identify its relevant custodians; Degens need not irreversibly agree to four search custodians, particularly as GHSK is in the best position to identify who are appropriate custodians. GHSK should assess additional custodians who likely would have responsive, non-duplicative documents and include them in the search.

2. Whether or not a categorical approach is used for creating a privilege log, it is still incumbent on GHSK to review documents individually to determine if the privilege applies; a categorical approach to logging can significantly reduce the burden of creating a privilege log, but it does not obviate the need for particularized review. Determination of the methodology used for logging therefore can wait until later until GHSK has a better fix on the number and type of responsive documents.

3. With respect to costs, the Court suggests that GHSK and its client, Weil, determine whether and to what extent Weil should absorb the costs of compliance. Whether or not Degens should absorb any of the cost can be considered at the conclusion of the case, at which point the materiality of the GHSK documents and the success or lack of success of Degens' claims can be assessed as they would be relevant factors to consider in determining the ultimate cost burden.

4. GHSK must complete its production by **February 28, 2022** but may produce its privilege log by **March 14, 2022**.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal stroke extending to the right.

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ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: January 14, 2022  
New York, New York